The City Council convened in Regular Session on Tuesday, March 29, 2011, at 7:00 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Michael Klinghammer, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Laurie Feldman, Larry Muench, Jerry Reese, Ron Stivison, and Richard Veit. Absent: Bob Kneemiller, Bridget Ohmes, and Michael Weller. City Clerk Laura L. Whitehead was present and performed the duties of that office.

File #47527

A motion was made by RICHARD VEIT to excuse the absence of Councilmember Bob Kneemiller, Councilmember Bridget Ohmes, and Councilmember Michael Weller. JERRY REESE seconded the motion. All voted in favor, motion passed.

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS

The President of the Council Michael Klinghammer announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. An application to amend the previously approved Development Plan and Regulating Plan for the Streets of St. Charles project at 1500 South Fifth Street within the PD-MU Planned Development-Mixed Use District. The property is 27.59 acres and is located in Ward Three (*Council Bill 10464*)
- B. <u>Case No. Z-04-11</u>. (City of St. Charles Fire Department). An application to rezone approximately four (4) acres of vacant land along Boschertown Road (formerly a part of New Town) and north of the property at 3125 Boschertown Road (National Cart Co.) from PD-MU Planned Development-Mixed Use District to C-2 General Business District. The subject property is located within Ward 8. (*Council Bill 10463*)
- C. <u>Case No. CU-06-11</u>. (St. Charles Engineering & Surveying Humane Society). An application for a Conditional Use Permit from §156.032(C)(1)(i) for Pet Adoption Centers within the C-1 Neighborhood Business District, specifically to permit a new 3,686 sq. ft. structure at 1099 Pralle Lane. The subject property is 4.52 acres and is located in Ward 3. (*RCA Attached*)
- D. <u>Case No. CU-10-11</u>. (Big St. Charles Motorsports). An application for a Conditional Use Permit from §156.034(C)(1)(a) for a stand-alone parking lot within the C-3 Highway Business District, specifically to redevelop the former Golf Discount property for use as a parking lot at 3820 West Clay Street. The subject property is 0.795 acres and is located in Ward 6. (*RCA Attached*)
- E. <u>Case. No. CU-11-11</u>. (Taylor Patrick Ash). An application for a Conditional Use Permit for temporary retail sales, specifically to operate a food and beverage vending pushcart on the east side of the right-of-way plaza at North Main Street and Washington Street.

The subject area is zoned CBD Central Business District within the HDD Historic Downtown District and is located in Ward 1. (*RCA Attached*)

AWARDS/PROCLAMATIONS/ PRESENTATIONS

The Honorable Patricia M. York administered the oath of office to newly appointed City Clerk Laura Whitehead.

The Honorable Patricia M. York and Councilmember Larry Muench presented a plaque to John Bornmann for years of dedicated service with the Citizens with Disabilities Advisory Board.

Police Chief Dennis Corley presented a Certificate of Appreciation to Robert McWilliams for his years of service with the Police Department and gave a biography of the employment of Robert McWilliams.

City Clerk Marilyn McCoy presented a Certificate of Appreciation to Sharon Brader for her years of service with the City Clerk's Office and gave a biography of the employment of Sharon Brader.

President of the Council Michael Klinghammer presented a Certificate of Appreciation to Marilyn McCoy for her years of service with the City Clerk's Office and gave a biography of the employment of Marilyn McCoy.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Tony Bethmann, 566 Glenco, spoke in opposition to the Lindenwood Town Center Project.

Susan Newton, Bethany Motes, and Jill Helton, Representing People First of St. Charles, 800 Friedens Road, Suite 200, spoke relative to Clean Up Your Language Campaign

RESOLUTIONS

A Resolution of the City of St Charles, Missouri, Opposing Plan H as Proposed by the Upper Mississippi, Illinois and Missouri Rivers Association (UMIMRA) Relative to Placement of 500-Year Levees; and Supporting the Coordinated Efforts of St. Charles County, Pike County and Lincoln County to Work Together to Plan for Flood Control Relating to the Region (*Sponsor: Richard Veit*)

Passed "Aye": Klinghammer, Muench, Reese, Stivison, Veit, Beckering, and

Feldman

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Resolution 11-07

A Resolution In Support of and Authorizing the Mayor and City Clerk to Submit an Application to the Missouri Department of Transportation for a Safe Route to Schools Grant (Sponsor: Richard Veit)

Passed "Aye": Muench, Reese, Stivison, Veit, Beckering, Feldman, and

Klinghammer

"Nay": None

Absent: Ohmes, Weller, and Kneemiller

Approved by the Honorable Mayor on March 30, 2011, and is known as Resolution 11-08

A Resolution of the Council of the City of St. Charles, Missouri, Approving a Confidentiality Agreement Related to Reconstruction of South Main Street South and Authorizing Execution Thereof (*Sponsor: Laurie Feldman*)

Passed "Aye": Muench, Reese, Stivison, Veit, Beckering, Feldman, and

Klinghammer

"Nay": None

Absent: Ohmes, Weller, and Kneemiller

Approved by the Honorable Mayor on March 30, 2011, and is known as Resolution 11-09

BILLS FOR FINAL PASSAGE

Bill 10367 (Substitute Bill No. 1)

An Ordinance Amending Chapter 36 of the Code of Ordinances of the City of St. Charles, Missouri by Creating a New Section to be Known as Section 36.20 Pertaining to Mandatory Vacation Leave for Certain Employees (*Sponsor: Bob Kneemiller*)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-50

Bill 10443

An Ordinance Authorizing an Agreement with the St. Charles Lions Club for the Sponsorship of the Operation of the Farmers Market During the Summer of 2011 (Sponsor: Richard Veit)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-51

Bill 10444

An Ordinance Authorizing an Intergovernmental Cooperation Agreement Between the City of St. Charles and the Lincoln County Sheriff's Department to Furnish, Deliver and Provide Housing for Prisoners of the St. Charles Municipal Court in an Amount Not to Exceed \$8,000.00 (Sponsor: Michael Klinghammer)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-52

Bill 10445

An Ordinance Authorizing an Intergovernmental Cooperation Agreement Between the City of St. Charles and the St. Charles County Department of Corrections to Furnish, Deliver and Provide Housing for Prisoners of the St. Charles Municipal Court in an Amount not to Exceed \$11,000.00 (Sponsor: Michael Klinghammer)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-53

Bill 10446

An Ordinance Amending Section 3 of Ordinance No. 11-09 to Provide for Reporting to Council of Transfers Pursuant to Charter Section 8.10 in Excess of \$10,000 (Sponsor: Bob Kneemiller)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-54

Bill 10447

An Ordinance Authorizing an Easement Encroachment License Agreement with Big St. Charles Motor Sports, LLC for the Construction and Maintenance of an Elevated Walkway Connecting the Buildings Located at 3830 West Clay and 3808 West Clay Over the Utility Easement Located at or near 3830 West Clay Street (Sponsors: Michael Klinghammer and Jerry Reese)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-55

Bill 10448

An Ordinance Authorizing an Easement Encroachment License Agreement with the Oak Parc Owners Association for the Replacement and Maintenance of an Existing Retaining Wall on a Utility Easement Located at or Near Lot 13 of the Oak Parc Subdivision (Sponsors: Michael Klinghammer and Jerry Reese)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-56

Bill 10449 (Supplemental RCA)

An Ordinance Amending Chapter 39 of the Code of Ordinances of the City of St. Charles, Missouri by Creating a New Section to be Known as Section 39.08 Authorizing the City to Accept Credit and Debit Card Payment for Bills, Fees, Court Fines and Costs and Other City Service Payments and Authorizing the Mayor and City Clerk to Execute an Agreement with a Card Processing Company To Facilitate Acceptance of Credit and Debit Cards By the City (Sponsors: Michael Klinghammer, Bob Kneemiller, Dave Beckering, Laurie Feldman, Richard Veit, and Michael Weller)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-57

Bill 10450

An Ordinance Amending Ordinance No. 10-182 by Revising Exhibit A, the List of Persons Authorized for Use of Account and "Specimen Signatures," Due to hiring of a new City Clerk effective April 1, 2011 and the resignation of the Economic Development Director (Sponsor: Michael Klinghammer)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-58

Bill 10451

An Ordinance Approving the Record Plat for Lot Consolidation of Lots 4, 5, 6 and 7 of Block 1 of "Riverside View Addition", a Subdivision of the City of St. Charles, Missouri (Sponsor: Richard Veit)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-59

Bill 10452

An Ordinance Authorizing a Parking Lot Lease with Union Electric Company d/b/a

Ameren Missouri for the Right to Construct and Use a Public Parking Lot on the Southeast Corner of Riverside Drive and Adams Street for an Annual Rental Amount of \$2340.00 (Sponsor: Michael Klinghammer)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-60

Bill 10453

An Ordinance Authorizing a 5-Year Contract with Schulte Supply, Inc. for the Purchase of Neptune Automated Meter Reading (AMR) Water Meters and Components in an Amount Not to Exceed \$3,230,000.00 (Sponsor: Michael Klinghammer)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-61

Bill 10454

An Ordinance Authorizing an Amendment to the Contract Between the City of St. Charles and St. Charles County for the Use of Transportation Sales Tax Funds to Provide a Traffic Engineering Study Along Hackmann Road from McClay Road to Old Highway 94 and Along Old Highway 94 from Hackmann Road to Heritage Crossing (Sponsors: Michael Weller and Bob Kneemiller)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-62

Bill 10455

An Ordinance Authorizing a Congestion Mitigation and Air Quality Agreement with the Missouri Highways and Transportation Commission to Provide CMAQ Funding for the McClay Road and Hackmann Road Improvement Project (Sponsors: Michael Weller and Bob Kneemiller)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-63

Bill 10456

An Ordinance Amending Chapter 73 of the Code of Ordinances of the City of St. Charles, Missouri by Adding a New Section, to be known as Section 73.97, Pertaining to the Establishment of Bicycle Parking Zones (Sponsor: Richard Veit)

Passed "Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-64

Bill 10457

An Ordinance Repealing Ordinance Nos. 10-227 and 10-260 In Their Entirety; Ordering That Revised Assessments Be Made Against Benefited Properties Situated Within the Streets of St. Charles at Noah's Ark Neighborhood Improvement District Based Upon Revised Estimated Costs of Certain Phase Two-A Improvements Within the District; Ordering Preparation of a Phase Two-A Assessment Roll; and Calling for a Public Hearing and Providing Direction for the Giving of Notice Thereof; All Pursuant to the Neighborhood Improvement District Act (Sponsors: Laurie Feldman and Bob Kneemiller)

"Aye": Passed Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-65

Bill 10458

An Ordinance Authorizing Amendment Number 1 to the Contract with LePique & Orne Architects, Inc., to Provide Additional Engineering and Architectural Services for Phase II of the Public Safety Facility Construction Project in an Amount of \$68,635 for a Total Amount Not to Exceed \$369,749 for the Phase II Services and for a Total Project Amount (Phase I and II) of \$482,964. (Sponsors: Richard Veit, Michael Klinghammer, Bridget Ohmes, Jerry Reese, and Ron Stivison)

Passed

"Aye": Feldman, Muench, Reese, Stivison, Beckering,

Klinghammer, and Veit

"Nay": None

Absent: Kneemiller, Ohmes, and Weller

Approved by the Honorable Mayor on March 30, 2011, and is known as Ordinance 11-66

BILLS FOR INTRODUCTION

The following Council Bills were introduced, with the exception of Council Bill 10463 which was withdrawn by sponsor Michael Klinghammer:

Bill 10459

An Ordinance Amending Ordinance No. 10-182 by Revising Exhibit A, the List of Persons Authorized for Use of Account and "Specimen Signatures," Due to Hiring of an Economic Development Director Effective April 1, 2011 (Sponsor: Michael Klinghammer)

Bill 10460

An Ordinance Amending Ordinance Number 10-289 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2011 (Budget Amendment #2) (Sponsor: Michael Klinghammer)

Bill 10461

An Ordinance Repealing Ordinance No. 11-16 and Enacting a New Ordinance Authorizing the Establishment of Checking Accounts with Commerce Bank, N.A., and Designating Persons Authorized to Sign Checks (*Sponsor: Michael Klinghammer*)

Bill 10462

An Ordinance Approving the Record Plat for The Outpost Church Subdivision, a Subdivision of the City of St. Charles, Missouri (*Sponsor: Larry Muench*)

Bill 10463 (Withdrawn)

An Ordinance Rezoning to City Zoning District C-2 (General Business District) from City Zoning District PD-MU (Planned Development–Mixed Use District) Approximately Four (4) Acres of Vacant Land Located Along Boschertown Road (Formerly a Part of New Town) and North of the Property at 3125 Boschertown Road (National Cart Company) (Sponsor: Michael Klinghammer)

Council Bill 10463 was withdrawn by Sponsor Michael Klinghammer. File #47583

Bill 10464

An Ordinance Amending the Development Plan and Regulating Plan for the Plaza at Noah's Ark Project (Streets of St. Charles) at 1500 South Fifth Street (Sponsor: Laurie Feldman)

Bill 10465

An Ordinance Ordering that Certain Improvements Within the Streets of St. Charles at Noah's Ark Neighborhood Improvement District of the City Be Made; and Directing that Financing for the Costs Thereof Be Obtained, All Pursuant To the Neighborhood Improvement District Act (Sponsors: Laurie Feldman and Bob Kneemiller)

Bill 10466 (*Amended*)

An Ordinance Suspending the Prohibition Against Drinking Alcoholic Beverages in Public Places at the Location and During the Hours of Operation of the Music on Main 2011 Event; and Authorizing an Agreement with the Historic Downtown Business Association for the Purpose of Conducting the Music on Main Special Event from May Through September 2011, Which Shall Include the Placing of Booths on a Portion of the Main Street Sidewalk for the Dispensing of Alcoholic Beverages and Sale of Food to the Public, and the Providing of Live Entertainment (Sponsors: Michael Klinghammer and Richard Veit)

A motion was made by Councilmember RICHARD VEIT to amend Council Bill 10466 to prohibit the possession of glass containers during the suspension of the prohibition against drinking alcoholic beverages in public places. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

Bill 10467

An Ordinance Authorizing the Filing of an Application with the Missouri Division of Tourism, Cooperative Marketing Program, for the FY 2012 Destination Advertising Grant (July 1, 2011 through June 30, 2012); and to Sign All Necessary Documents to Accept and Receive Said Grant (*Sponsor: Ron Stivison*)

Bill 10468

An Ordinance Authorizing a Contract with Landvatter Ready Mix, Inc. for Ready-Mix Concrete Supply Services for the Street Division in an Amount Not to Exceed \$115,000.00 (Sponsor: Michael Klinghammer)

Bill 10469

An Ordinance Authorizing a Contract with Park Mark, Inc. for the 2011 City-Wide Street Striping Project in an Amount Not to Exceed \$145,000.00 (Sponsor: Michael Klinghammer)

ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Discussion Relative to Waiving the Utility Taxes at Foundry Art Centre Councilmember Jerry Reese reported utility taxes are being imposed on the Foundry Art Centre building which is owned by the City of St. Charles. After further discussion, JERRY REESE made a motion to waive all utility taxes on the Foundry Art Centre building. RICHARD VEIT seconded the motion. A roll call vote was taken with the following results: "Aye": Reese, Stivison, Veit, Beckering, Feldman, Klinghammer, and Muench. "Nay": None. Absent: Weller, Kneemiller, and Ohmes. Motion passed.

CONSENT AGENDA

President of the Council Michael Klinghammer removed *Item 10D2 Request For Authorization to Fill Two (2) Vacant Positions in the Public Works Department (Full-Time Engineer II & Part-*

Time Administrative Support) and Item 10D3 Request for Authorization to fill Vacant Position in Community Development (Administrative Support II).

Mayor Patricia M. York removed *Item 10G4 Approval of an Amendment to a Regional Commercial Use Overlay for the St. Charles Convention Center/Embassy Suites Located at 2 Convention Center Plaza*.

A motion was made by DAVE BECKERING to approve the balance of the Consent Agenda. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Beckering, Feldman, Klinghammer, Muench, and Reese. "Nay": None. Absent: Weller, Kneemiller, and Ohmes. Motion passed.

- A. Approval of Council Minutes
 - 1. Regular Council Meeting of March 1, 2011
 - 2. Public Hearing of March 1, 2011

File # 47585

- 3. Regular Council Meeting of March 15, 2011
- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Council Work Session of February 22, 2011
- File #47558
- b. Fire Station Design Committee Meeting of March 8, 2011
- File #47586
- c. Council Work Session of March 8, 2011 (6:00 p.m.)
- File #47558
- d. Council Work Session of March 8, 2011 (7:00 p.m.)
- File #47558
- e. Council Work Session of March 15, 2011
- File #47558
- 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Council Work Session of February 22, 2011
 - b. Fire Station Design Committee Meeting of March 8, 2011
 - i. Motion to Purchase 3.86 Acres with No Detention Pond and Haul-In 9500 Cubic Yards of Dirt at the Approximate Cost of \$114,000.00
 - c. Council Work Session of March 8, 2011 (6:00 p.m.)
 - d. Council Work Session of March 8, 2011 (7:00 p.m.)
 - e. Council Work Session of March 15, 2011

C.	Receipt of Reports from Boards, Commissions or Committees	
	 Senior Citizen Advisory Commission Meeting of January 18, 2011 a. Motion to Defer Electing a Recording Secretary to the February Meeting 	
File #47587	Trocking .	
File #47597	 Senior Citizen Advisory Commission Meeting of February 15, 2011 a. Motion to Elect Phyllis O'Laughlin Recording Secretary b. Motion to Co-Sponsor with the City Council in the DEA Drug Program 	
File #47587	3. Special Business District Advisory Board Meeting of August 5, 2010	
	 Special Business District Advisory Board Meeting of August 5, 2010 a. Motion to Table the Branding the Special Business District Project b. Motion to Repaint the 3 Block Signs in the Current Color and Design; and to have Staff Request the Street Department Perform the Maintenance 	
	c. Motion to Direct Staff to Send Out Bid Requests for 2010-2011 Snow Removal Services	
File #47559		
E1 #47210	4. Riverfest Committee Meeting of June 23, 2010 (<i>RCA Attached</i>)	
File #47318	5. Veterans Commission Meeting of February 14, 2011	
File #47575	5. Veterans Commission Meeting of February 14, 2011	
File #47576	6. Landmarks Board Meeting of February 14, 2011	
110 11 17 17 10	7. Board of Public Works Meeting of February 14, 2011 a. Motion to Recommend Approval of Supplemental Agreement #1 with Thouvenot, Wade & Moerchen for the Missouri Flood Gate	
	 Project in an Amount not to Exceed \$47,030.00 Motion to Recommend Approval to Negotiate a Contract with RJN Group, Inc. for the Design of Sanitary Sewer Project at 1020 	
	Mayfair c. Motion to Recommend Approval of the Contract with River City Construction, LLC for the Elm Point Water Treatment Plant Improvements Project in an Amount not to Exceed \$2,802,900.00	
File #47573		
D.	Receipt of Reports of the Director of Administration	
	1. Notice of Emergency Purchase	
File #47556	2. Request for Authorization to Fill Two (2) Vacant Positions in Public	
	Works Department (Full-Time Engineer III & Part-Time Administrative	
ITEM REMO	Support) OVED FROM THE CONSENT AGENDA	

3. Request for Authorization to Fill Vacant Position in Community Development (Administrative Support II)

ITEM REMOVED FROM THE CONSENT AGENDA

- E. Approval of Contracts and Easements from \$30,001 \$99,999
 - 1. Contract with Save-On-Mail, Inc. for Mail and Bulk Mail Services for the Greater St. Charles Convention & Visitors Bureau in an Amount not to Exceed \$40,000.00

File #47588

2. Amendment No. 2 to the Contract with Cunningham, Vogel & Rost, P.C. for Providing Special Counsel Services for the Street of St. Charles Project and Neighborhood Improvement District to be Funded by the Initial Litigation Funding Agreement.

File #47589

3. Contract with IESI MO Champ Landfill (formerly Fred Weber) for Landfill Services in an Amount not to Exceed \$50,000.00

File #47590

4. Contract with Parking Lot Maintenance for Crack Seal Contract 2011 with Parking Lot Sealing and Striping in an Amount not to Exceed \$95,000.00

Councilmember Jerry Reese requested further discussion relative to crack sealing and concrete repair be referred to the April Street Committee Meeting. File #47591

- F. Preliminary Plats None
- G. Miscellaneous
 - 1. Investment Report for February 2011

File #47568

2. Approval of Home Improvement Loans

File #47592

3. Request for Funds to be Paid Out of Council Directives

File #47593

4. Approval of an Amendment to a Regional Commercial Use Overlay for the St. Charles Convention Center/Embassy Suites Located at 2 Convention Center Plaza

ITEM REMOVED FROM THE CONSENT AGENDA

ITEMS REMOVED FROM THE CONSENT AGENDA

President of the Council Michael Klinghammer requested agenda item 10D2 Request for Authorization to Fill Two (2) Vacant Positions in Public Works Department (Full-Time Engineer III & Part-Time Administrative Support) and agenda item 10D3 Request for Authorization to Fill Vacant Position in Community Development (Administrative Support II) be held. Council President Klinghammer expressed concern relative to filling vacant positions

until the Financial Report from Temporary Finance Director Jerry Ponder is received and reviewed by the City Council.

Mayor Patricia M. York requested agenda item 10G4 Approval of an Amendment to a Regional Commercial Use Overlay for the St. Charles Convention Center/Embassy Suites Located at 2 Convention Center Plaza be held until legal issues have been resolved.

REPORT OF THE MAYOR

Report on Budget Amendment No. 2 (Council Bill 10460)

The Honorable Mayor Patricia M. York gave a report relative to Budget Amendment No. 2 (Council Bill 10460).

Written and/or Verbal Messages from the Mayor

Missouri Tartan Day Festivities: The Honorable Patricia M. York announced the Missouri Tartan Day Festivities will be held April 8 – 10, 2011.

St. Charles Family Arena: The Honorable Patricia M. York announced the following events which will take place at the St. Charles Family Arena:

- Winter Jam: April 1, 2011
- Thomas the Train: April 2, 2011
- The Del McCoury Band: April 13, 2011

St. Charles Convention Center: The Honorable Patricia M. York announced the following events which will take place at the St. Charles Convention Center:

• *Baby – Kid Expo:* April 30, 2011

Lindenwood University: The Honorable Patricia M. York announced the following events which will take place at Lindenwood University:

- *One Flew Over the Cuckoo's Nest:* April 15 19 & 21 23, 2011
- Spring Dance Concert: April 28 30, 2011
- Debby Boone: May 7, 2011

The Honorable Patricia M. York reminded everyone to please shop Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Drug Take Back Event: Councilmember Jerry Reese announced the Drug Take Back Event will be held on Saturday, April 30, 2011, at 10:00 a.m. – 2:00 p.m. at the St. Charles Criminal Justice Center located at 1781 Zumbehl Road.

Upcoming Election: Councilmember Laurie Feldman reminded everyone to vote on Tuesday, April 5, 2011.

St. Charles County Municipal League: Councilmember Richard Veit announced the St. Charles County Municipal Meeting will be held on Thursday, March 31, 2011, at 6:00 p.m. at St. Peters City Hall.

TABLED BILLS/PUBLIC HEARINGS

Bill 10398

An Ordinance Repealing Administrative Regulation 2.3.3, Version 4; Approving Administrative Regulation 2.3.3, Version 5, Regarding Medical, Dental and Vision Benefits for Employees with Certain Minimum Years of Service who Start City Employment Before January 1, 2011; Establishing a Range of Benefits for Non-Medicare Eligible Retirees Based on the Retiree's Years of Service Ranging from \$400/Month for a Retiree with Twenty (20) Years of Service to \$450/Month for a Retiree with Thirty (30) or More Years of Service; Establishing a Benefit for a Retiree's Non-Medicare Eligible Spouse of \$230/Month Before Retiree is Medicare Eligible and \$200/Month After the Retiree is Medicare Eligible; Establishing That, Upon Becoming Medicare Eligible, Those Employees Retiring Before February 2, 2012 Shall Receive Up To \$125/Month To Defray Cost of Purchasing a Medicare Supplement; and Establishing an Effective Date For Version 5 of Administrative Regulation 2.3.3 (Sponsor: Michael Klinghammer and Dave Beckering) (Tabled on March 1, 2011 to the Regular Council Meeting Scheduled for May 17, 2011)

No action taken on Council Bill 10398.

The Regular Council Meeting was	adjourned at 8:14 p.m.
Date Approved	
 City Clerk	Michael Klinghammer, Presiding Officer